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### UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 10

1200 Sixth Avenue Seattle, WA 98101

Reply To

Attn Of: ECL-115

DEC 2 8 2000

Alan Sprott Cascade General Inc. 5555 N Channel Avenue Portland, OR 97217

Referenced Property Physical Location 5555 N Channel Avenue, Portland, OR



This explanatory letter is being sent to all parties to whom EPA sent general notice letters. We have since heard from some of you and understand there may be a request for a general meeting in mid-January and an extension of our suggested response time from December 28, to late-January. Understanding that Portland Harbor is the first large multi-party Superfund site in Oregon, we thought a letter of explanation of some our of key goals and expectations might be helpful, and could perhaps serve as a substitute for, and be more efficient than, a large meeting. We emphasize that anyone with questions should not hesitate to call one of EPA's project managers, Wallace Reid (206-553-1728) or Chip Humphrey (503-326-2678), or one of EPA's attorneys, Elizabeth McKenna (206-553-0016) or Charles Ordine (206-553-1504).

Our primary reason for preferring this written response in lieu of a meeting is our goal of having a first round of sampling work to occur during the upcoming summer sampling season. If we target August for sampling and calculate backward, we find that delaying negotiations until February could result in missing this sampling opportunity. RI/FS Order negotiations have a 90-day statutory negotiating schedule which has proven challenging at large complex sites in the past. Assuming negotiations begin in mid-January, and that negotiations go smoothly, a signed AOC would be achieved by mid-April. Respondents will then have to prepare and submit a first set of deliverables (Phase I Work Plan of projected sampling, with Sampling and Analysis Plan and Health and Safety Plan). An ambitious submission date would be mid-May. EPA, in coordination with DEQ, federal natural resource trustees (NOAA and the Fish and Wildlife Service) and six Tribes, would then supply comments which would likely necessitate meetings to reach compromises among Respondents and reviewers. This would lead to resubmission of this Phase I Work Plan by mid-July, at the latest, to permit mobilization and sampling in August. Based on our collective experience, we believe any additional negotiating time we can build into this schedule may prove critical to collecting data this summer.

In order to facilitate the foregoing, and to manage the site as efficiently as possible, we hope to use lessons learned over 20 years of experience in Region X with large, multi-party Superfund sites. Among those lessons is that large PRP groups, especially those with members with little or no big-site experience, are inefficient (generating the kind of legal fees Superfund's critics like to cite) frustrating both Respondents and EPA. At the remedy implementation stage

this can be unavoidable, but our experience is that formation of a large PRP group at the investigation/feasibility stage generally has little if any benefit. With this approach, EPA recognizes the need to create incentives for participants and assurances for non-participants, allowing entities with more Superfund experience to perform the study with substantial efficiencies.

The Duwamish Superfund Site in Seattle, which shares some similarities with Portland Harbor, can be a useful model for the RI/FS stage of the process. At Duwamish, four out of potentially hundreds of responsible parties have agreed to perform the RI/FS. At Portland Harbor, if EPA had only a small subset of responsible parties come forward to perform the RI/FS, EPA would: 1) defer recovery of all past costs to the remedy implementation stage, 2) emphasize that participation does not mean or imply greater or lesser comparative responsibility, 3) have identification of early action-area candidates as an RI/FS task, but not obligate Respondents to implement early actions, leaving implementation to separate Orders with appropriate parties based on location-specific criteria, and 4) assure non-participant small businesses of prompt notification should their property or interests be uniquely implicated. We emphasize that we are available to discuss these and other negotiable criteria with any party, and that an individual reply to our general notice letter is not required by every recipient.

Certain other key matters deserve emphasis. First, the Superfund process at Portland Harbor (as at Duwamish) interfaces with the listing of anadromous fish species under the federal Endangered Species Act, which species are also the subject of treaties of the United States with recognized sovereign Indian nations. This means EPA consultation and coordination with the species-listing agencies and Tribes regarding remedial decisions will be especially critical. Second, the recipients of this letter and our general notice letter do not represent a complete list of potentially responsible parties, nor do they imply greater responsibility for recipients than non-recipients. Recipients were selected because they were previously noticed in one manner or another by DEQ, or are riparian owners/operators of facilities within the initial EPA six-mile National Priorities List assessment area. Prior riparian owner/operator contributors, as well as non-riparian contributors, undoubtedly exist and are obvious omissions. EPA has not yet conducted the kind of PRP search it normally undertakes for large sites, but will conduct one in the future. PRP search costs would be another cost category EPA would defer to remedy implementation if an efficient RI/FS could be promptly undertaken.

We hope this letter clarifies our intentions. We look forward to hearing from you.

Sincerely,

Remedial Project Manager

Mike Rosen, ODEQ Chip Humphrey, EPA Oregon Ops Office

CC:

bcc: Elizabeth McKenna
Charlie Ordine
Michelle Pirzadeh
Amber Wong
Sally Thomas
John Malek
Al Goodman

Eric Winiecki Lori Cohen

Note: An identical letter, except for contact-specific information, and the request for corrected address information, has been distributed to the entire attached mailing list.

#### Reply to Wallace Reid via

Email reid.wallace@epa.gov (preferred)

Fax 206-553-0124

Mail U.S. EPA Region 10, 1200 Sixth Avenue, M/S ECL-115, Seattle, WA 98101

In order to facilitate efficient communications with Potentially Responsible Parties associated with the Portland Harbor Superfund Site, EPA is requesting corrected "Registered Agent", "Responsible Official", "Technical Contact", and "Legal Contact" information. EPA also requests that you review the mailing label on the envelope this information request was included in. Please let EPA know if the individual and company names are correct, and whether the spellings are correct. Also review the street/mailing address for accuracy and spelling, as well as the zip code, and whether a nine-digit zip code is available. Finally, review the referenced property physical location information on the label. This location information should accurately describe the location of riparian properties from which hazardous constituents may have entered Portland Harbor. Please add to, subtract from, or correct this physical location information as appropriate.

This information request is voluntary, intended solely to facilitate efficient communications.

#### Registered Agent Information (as registered with the Oregon Secretary of State)

1.	Agent	company	name
----	-------	---------	------

- 2. Contact name
- 3. Contact title
- 4. Physical address
- 5. Mailing address
- 6. City

- 7. State
- 8. Zip code
- 9. General phone number
- 10. Contact phone number
- 11. Contact fax number
- 12. Contact email address

## Responsible Official Information (overall responsibility for your company's involvement in the Portland Harbor Superfund Site project) Please also add to, subtract from, or correct the referenced property physical location information.

- 1. Company name
- 2. Responsible official name
- 3. Responsible official title
- 4. Physical address
- 5. Mailing address
- 6. City

- 7. State
- 8. Zip code
- 9. General phone number
- 10. Responsible official phone number
- 11. Responsible official fax number
- 12. Responsible official email address

#### Technical Contact Information (internal company staff, consultants, or both)

- 1. Company name
- 2. Technical contact name
- 3. Technical contact title
- 4. Physical address
- 5. Mailing address
- 6. City

- 7. State
- 8. Zip code
- 9. General phone number
- 10. Technical contact phone number
- 11. Technical contact fax number
- 12. Technical contact email address

#### Legal Contact Information (internal counsel, outside counsel, or both)

- 1. Company name
- 2. Legal contact name
- 3. Legal contact title
- 4. Physical address
- 5. Mailing address
- 6. City

- 7. State
- 8. Zip code
- 9. General phone number
- 10. Legal contact phone number
- 11. Legal contact fax number
- 12. Legal contact email address

#### **Alan Sprott**

Cascade General Inc. 5555 N Channel Avenue Portland, OR 97217

Referenced Property Physical Location 5555 N Channel Avenue, Portland, OR

#### Al Smith

Contact for City of Portland Outfalls 1120 SW 5th Avenue, Room 1000 Portland, OR 97204-3713

> Referenced Property Physical Location All City Outfalls, Portland, OR

#### Al Smith

Contact for City of Portland Linnton Oil Fire Training Grounds 1120 SW 5th Avenue, Room 1000 Portland, OR 97204-3713

> Referenced Property Physical Location NW Marina Way, Portland, OR

#### Al Smith

Contact for City of Portland Water Lab 1120 SW 5th Avenue, Room 1000 Portland, OR 97204-3713

Referenced Property Physical Location 6543 N Burlington Avenue, Portland, OR

#### Amos S. Kamerer

Koppers Industries, Inc. 7540 NW St Helens Road Portland, OR 97210

> Referenced Property Physical Location 7540 NW St Helens Road, Portland, OR

#### Anthony Palagyi

Contact for Equilon Enterprises LLC 10602 NE 38th Place Kirkland, WA 98109

> Referenced Property Physical Location 3800 NW St Helens Road, Portland, OR

#### Anthony Palagyi

Contact for Texaco Unloading Dock 10602 NE 38th Place Kirkland, WA 98109

Referenced Property Physical Location 3800 NW St Helens Road, Portland, OR

#### Anton U. Pardini

Registered Agent for Schnitzer Investment Corporation - Kittridge 3200 NW Yeon Avenue Portland, OR 97210

Referenced Property Physical Location 9040, 9945, 10400, 12005 N Burgard Way, Portland, OR

#### Anton U. Pardini

Registered Agent for Crawford Street Corp 3200 NW Yeon Avenue Portland, OR 97210

> Referenced Property Physical Location 8524 N Crawford Street, Portland, OR

#### **Bob Markworth**

UPRR - Albina Yard 1416 Dodge Street Omaha, NE 68179

> Referenced Property Physical Location Willamette Boulevard, Portland, OR

#### **Bob Wyatt**

GASCO (NW Natural) 220 NW 2nd Avenue Portland, OR 97209

> Referenced Property Physical Location 7540 NW St Helens Road, Portland, OR

#### **Brett Wilcox**

Goldendale Aluminum 101 SW Main Street #905 Portland, OR 97204

> Referenced Property Physical Location 2600 N River Street, Portland, OR

#### **Brian Dunham**

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#### C. A. Fouche

Contact for Mobil Oil aka Socony Mobil Company, Inc. 2063 Main Street, PMB 501 Oakland, CA 94561

> Referenced Property Physical Location 9420 NW St Helens Road, Portland, OR

#### Carol Grant

Northwest Pipe Company P.O. Box 83149 Portland, OR 97283-6149

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#### Carolyn Markos

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Referenced Property Physical Location 8010 NW St Helens Road, Portland, OR

#### Charles Gaskill

Lakeside Industries 4850 NW Front Avenue Portland, OR 97210-1256

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#### Charles McCormick III

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#### C. J. Rue

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#### C. J. Rue

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#### Col. Randall Butler

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> Referenced Property Physical Location Portland, OR

#### **CT Corporation System**

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#### **CT Corporation System**

Registered Agent for Brix Maritime 601 SW Second Avenue #2050 Portland, OR 97204

Referenced Property Physical Location 9030 NW St Helens Road, Portland, OR

#### **CT Corporation System**

Registered Agent for Morse Brothers 601 SW Second Avenue #2050 Portland, OR 97204

> Referenced Property Physical Location 12222 NW Marina Way, Portland, OR

#### **CT Corporation System**

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> Referenced Property Physical Location Willamette Boulevard, Portland, OR

#### **CT Corporation System**

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> Referenced Property Physical Location 12430 NW St Helens Road, Portland, OR

#### **CT Corporation System**

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> Referenced Property Physical Location Portland, OR

#### **CT Corporation System**

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> Referenced Property Physical Location 9100 NW St Helens Road, Portland, OR

#### **CT Corporation System**

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> Referenced Property Physical Location 9333 N Time Oil Road, Portland, OR

#### **CT Corporation System**

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> Referenced Property Physical Location 9040 N Burgard Way, Portland, OR

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> Referenced Property Physical Location 12222 NW St Helens Road, Portland, OR

#### **CT Corporation System**

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> Referenced Property Physical Location 10350 Time Oil Road, Portland, OR

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#### **CT Corporation System**

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> Referenced Property Physical Location 1733 NE 7th Avenue, Portland, OR

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Referenced Property Physical Location 6350 NW Front Avenue, Portland, OR

#### CT Corporation System

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#### **CT Corporation System**

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#### **Dennis Norton**

Registered Agent for

Portland, OR 97204

BNRR

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Referenced Property Physical Location

Portland, OR

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#### E. Walter VanValkenburg

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#### **Forest Lane**

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#### Gail Holter

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Referenced Property Physical Location 10504 NW St Helens Road, Portland, OR

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> Referenced Property Physical Location NW Front Avenue, Portland, OR

#### H. P. (Trey) Harbert

Port of Portland 121 NW Everett Street Portland, OR 97209

> Referenced Property Physical Location Multiple Locations, Portland, OR

#### H. P. (Trey) Harbert

Terminal 4 - Port of Portland 121 NW Everett Street Portland, OR 97209

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#### James Cronmiller

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> Referenced Property Physical Location 4950 - 5200 NW Front Street, Portland, OR

#### Jay Zidell

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> Referenced Property Physical Location 4950-5200 NW Front Avenue, Portland, OR

#### Jeffrey E. Harmes

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Referenced Property Physical Location 5480, 5540, 5700 NW Front Avenue, Portland, OR

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#### Jeffrey L. Rogers

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> Referenced Property Physical Location NW Marina Way, Portland, OR

#### Jeffrey L. Rogers

Registered Agent for City of Portland Water Laboratory 1221 SW Fourth Avenue, Room 430 Portland, OR 97204

Referenced Property Physical Location 6543 N Burlington Avenue, Portland, OR

#### Jeffrey L. Rogers

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> Referenced Property Physical Location All City Outfalls, Portland, OR

#### J. H. Leitz

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Referenced Property Physical Location 6211 N Ensign Street, Portland, OR

#### J. H. Leitz

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> Referenced Property Physical Location 6211 N Ensign Street, Portland, OR

#### Jim Stahley

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> Referenced Property Physical Location 10504 NW St Helens Road, Portland, OR

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#### Kenneth D. Stephens

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#### **Kevin Murphy**

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#### **Larry Patterson**

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> Referenced Property Physical Location 6400 NW Front Avenue, Portland, OR

#### Larry Patterson

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#### Lee Zimmerli

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Referenced Property Physical Location 5480 NW Front Avenue, Portland, OR

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#### **Matthew Rose**

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> Referenced Property Physical Location Portland, OR

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Referenced Property Physical Location 5885 NW St Helens Road, Portland, OR

#### Mike Gross

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#### Milan Synak

Freightliner Corporation 4747 N Channel Avenue Portland, OR 97217

Referenced Property Physical Location 5160 N Lagoon Avenue, 6936 N Fathom Street, Portland, OR

#### Official Representative for

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Referenced Property Physical Location 9030 NW St Helens Road, Portland, OR

#### Official Representative for

Brix Maritime
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Portland, OR 97231

Referenced Property Physical Location 9030 NW St Helens Road, Portland, OR

#### Official Representative for

McCormick & Baxter P.O. Box 3344 Portland, OR 97208

Referenced Property Physical Location 6900 N Edgewater Avenue, Portland, OR

#### Ralph Moran

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#### Richard McCain

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> Referenced Property Physical Location N Portsmouth Boulevard, Portland, OR

#### Mike Gross

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#### Mn Service Corporation

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#### Official Representative for

Christenson Oil 3747 N Suttle Road Portland, OR 97217

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GS Roofing Products (Genstar) 6350 NW Front Avenue Portland, OR 97210

Referenced Property Physical Location 6350 NW Front Avenue, Portland, OR

#### Official Representative for

Tube Forgings USA 5200 NW Front Avenue Portland, OR 97210

> Referenced Property Physical Location 4950-5200 NW Front Avenue, Portland, OR

#### Richard Hyink

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> Referenced Property Physical Location 12160 NW St Helens Road, Portland, OR

#### Richard McCain

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#### Richard McCain

Registered Agent for Tube Forgings USA 3121 SW Moody Avenue Portland, OR 97201

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#### Robert A. Bridgers

Gunderson 4350 NW Front Avenue Portland, OR 97210

Referenced Property Physical Location 4012, 4350 NW Front Avenue, Portland, OR

#### Robert H. McCall

Great Western Chemical Company 808 SW 15th Avenue Portland, OR 97205

Referenced Property Physical Location 5480, 5540, 5700 NW Front Avenue, Portland, OR

#### Robert L. Ferguson

Rhone Poulenc P.O. Box 12014 Research Triangle Park, NC 22709

> Referenced Property Physical Location 6200 NW St Helens Road, Portland, OR

#### Robert Phillip

Crawford Street Corp 3200 NW Yeon Avenue Portland, OR 97210

> Referenced Property Physical Location 8524 N Crawford Street, Portland, OR

#### Robert S. Walsh

Registered Agent for Port of Portland Facilities 121 NW Everett Street Portland, OR 97209

> Referenced Property Physical Location Multiple Locations, Portland, OR

#### Robert S. Walsh

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> Referenced Property Physical Location Terminal 4, Portland, OR

#### Rob Rich

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> Referenced Property Physical Location 4900 NW Front Avenue, Portland, OR

#### Roger Croft

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#### **Ronald Prestwood**

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> Referenced Property Physical Location 14456 NW Gillihan Loop Road, Portland, OR

#### Ron Schwab

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> Referenced Property Physical Location 6767 N Basin Avenue, Portland, OR

#### Sandra Hart

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Referenced Property Physical Location 7540 NW St Helens Road, Portland, OR

#### Scott Sloan

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> Referenced Property Physical Location 9100 NW St Helens Road, Portland, OR

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Steve Andrews

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> Referenced Property Physical Location 8444 NW St Helens Road, Portland, OR

**Steve Petrin** 

Georgia Pacific - Linnton 900 SW Fifth Avenue Portland, OR 97204-1255

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Steve R. Shaver

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> Referenced Property Physical Location 4900 NW Front Avenue, Portland, OR

Steve Shain

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Referenced Property Physical Location N Portsmouth Boulevard, Portland, OR

The Prentice-Hall Corporation S

Registered Agent for Texaco Unloading Dock (pipeline and terminal) 285 Liberty Street NE Salem, OR 97301

> Referenced Property Physical Location 3800 NW St Helens Road, Portland, OR

The Prentice-Hall Corporation S

Registered Agent for Mobil Oil aka Socony Mobil Company Inc. 285 Liberty Street NE Salem, OR 97301

> Referenced Property Physical Location 9420 NW St Helens Road, Portland, OR

The Prentice-Hall Corporation S

Registered Agent for Willbridge (Chevron) 285 Liberty Street NE Salem, OR 97301

Referenced Property Physical Location 5531 NW Doane Avenue, Portland, OR

**Thomas Brungard** 

Owens Corning Fiberglass Owens Corning Parkway Toledo, OH 43659

> Referenced Property Physical Location 11444 NW St Helens Road, Portland, OR

Tom Maples

Mar Com Inc or Mar Com Marine 8970 N Bradford Street Portland, OR 97203

> Referenced Property Physical Location 9070 N Bradford Street, Portland, OR

**Tom Maples** 

Mar Com Marine 9070 N Bradford Street Portland, OR 97203

Referenced Property Physical Location 9070 N Bradford Street, Portland, OR

Tom Maples

Registered Agent for Mar Com Marine 9020 N Bradford Street Portland, OR 97203

Referenced Property Physical Location 9070 N Bradford Street, Portland, OR

Tom Zelenka

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Referenced Property Physical Location 9040, 9945, 10400, 12005 N Burgard Way, Portland, OR

Warren J. Rosenfeld

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> Referenced Property Physical Location 2495 NW Nicolai Street, Portland, OR

#### W. N. Harris

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Referenced Property Physical Location Portland, OR